

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Ricky Darren Sanders, Sr., a.k.a.)
Ricky D. Sanders, Sr.,) C/A No. 0:07-2986-MBS
)
Plaintiff,)
)
vs.)
)
S.C. Supreme Court; Chief Justice Toal;)
S.C. Justices; and Daniel E. Shearouse,)
)
Defendants.)
)

O R D E R

Plaintiff Ricky Darren Sanders is a detainee who currently is housed at the Sumter Lee Regional Detention Center in Sumter, South Carolina. Plaintiff, proceeding pro se, filed a complaint on September 4, 2007, which was signed by numerous individuals. Complainants allege that their constitutional rights have been violated in various respects. An amended complaint signed solely by Plaintiff was filed on November 7, 2007. Plaintiff brings this action pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bristow Marchant for pretrial handling. The Magistrate Judge reviewed the complaint pursuant to 28 U.S.C. §§ 1915, 1915A, and the Prison Litigation Reform Act of 1996. On December 10, 2007, the Magistrate Judge issued a Report and Recommendation in which he recommended that the within action be dismissed. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is

made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. The court adopts the Report and Recommendation and incorporates it herein by reference. The within action is dismissed without prejudice and without issuance of service of process.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

February 12, 2008

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.